

RESOLUTION NO. 75237

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE APPROVING THE DISBURSEMENT OF \$600,000 OF THE EXISTING CONSTRUCTION/PERMANENT LOAN FUNDING COMMITMENT AND AUTHORIZING THE DIRECTOR OF HOUSING TO NEGOTIATE AND EXECUTE ALL DOCUMENTS

WHEREAS, the City Council of the City of San José ("City") previously approved the construction/permanent loan funding commitment Brookwood Terrace Family Apartments ("Project") on May 19, 2009; and

WHEREAS, the multifamily housing revenue bonds for the Project ("Bonds") are scheduled to be issued on December 23, 2009, with the bond proceeds to be held by the trustee; and

WHEREAS, approximately \$1 million is needed to fund the transaction costs for the issuance of the Bonds, which will include lender fees, interest during a portion of construction, title costs, and attorney fees; and

WHEREAS, Hudson Housing, the tax credit syndicator, will contribute \$400,000 towards the transaction costs; and

WHEREAS, the City desires to make a disbursement of up to \$600,000 of the committed construction/permanent loan funds to help cover the transaction costs and to authorize the Director of Housing to negotiate and execute all documents to effectuate this disbursement;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

1. The disbursement of up to \$600,000 of the existing City of San José construction/permanent loan funding commitment, as more specifically set forth in the Director of Housing's report dated December 11, 2009, is hereby approved.
2. The Director of Housing is hereby authorized to negotiate and execute all documents necessary to effectuate the disbursement of up to \$600,000 of the construction/permanent loan funding commitment, as more specifically set forth in the Director of Housing's report dated December 11, 2009.

ADOPTED this 15th day of December, 2009, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA,
KALRA, LICCARDO, NGUYEN, PYLE, REED.

NOES: OLIVERIO.

ABSENT: NONE.

DISQUALIFIED: NONE.



CHUCK REED
Mayor

ATTEST:


LEE PRICE, MMC
City Clerk